

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

FEDERAL INSURANCE COMPANY

SUMMONS IN A CIVIL CASE

Plaintiff,

v.

CASE NUMBER:

ADCOM EXPRESS INC. d/b/a
ADCOM WORLDWIDE

07 CIV 9652

Defendant.

TO:

ADCOM EXPRESS INC.
7424 WEST 78TH ST.
EDINA, MN 55439

YOU ARE HEREBY SUMMONED and required to serve upon **PLAINTIFF'S ATTORNEY** (name and address)

KINGSLEY, KINGSLEY & CALKINS
91 WEST CHERRY STREET
HICKSVILLE, NY 11801
(516) 931-0064

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

OCT 31 2007

CLERK J. MICHAEL McMAHON

DATE

(BY) DEPUTY CLERK



FEDERAL INSURANCE COMPANY

Case No.: 07-CIV-9652

Plaintiff

AFFIDAVIT OF JOHN BAUER

v.

ADCOM EXPRESS INC. D/B/A
ADCOM WORLDWIDE

Defendant

STATE OF MINNESOTA: COUNTY OF HENNEPIN ss:

I, JOHN BAUER, being duly sworn deposes and says deponent is not a party to this action and is over the age of eighteen years and resides in the state of MINNESOTA. That on NOVEMBER 14, 2007 at 2:20 PM at 7424 WEST 78TH STREET, EDINA, in the County of HENNEPIN, in the State of MINNESOTA, deponent served the within SUMMONS IN A CIVIL CASE AND COMPLAINT on ADCOM EXPRESS INC. D/B/A ADCOM WORLDWIDE therein named.

CORPORATION: ADCOM EXPRESS INC. D/B/A ADCOM WORLDWIDE, a MINNESOTA corporation by delivering thereat a true copy of each to ROCHELLE WICK personally, deponent knew said corporation so served to be the corporation described in legal papers and knew said individual to be the AGENT FOR SERVICE OF PROCESS thereof.

COMMENTS: ON NOVEMBER 14, 2007 AT 2:20 PM, I ARRIVED AT STATED LOCATION TO ATTEMPT SERVICE. I SPOKE TO A WOMAN AT THE FRONT DESK WHO STATED THAT SHE WAS THE OFFICE MANAGER. I STATED TO HER THAT I HAD A FEDERAL SUMMONS AND COMPLAINT AND NEEDED TO SERVE AN OFFICER OR SOMEONE AUTHORIZED TO ACCEPT SERVICE ON BEHALF OF SAID CORPORATION. SHE WENT TO THE BACK OF THE OFFICE AND STATED THAT THE LEGAL DEPARTMENT HAD LEFT FOR THE DAY. I TOLD HER THAT ANY OFFICER COULD ACCEPT SERVICE AND SHE WENT BACK A SECOND TIME. WHEN SHE CAME BACK, SHE STATED THAT BOTH THE CEO AND CFO WERE UNWILLING TO COME OUT FRONT TO ACCEPT SERVICE. I EXPLAINED TO HER THAT ONE OF THEM NEEDED TO COME OUT AND ACCEPT OR THEY WOULD BE BREAKING MANDATED STATUTES. SHE WENT BACK A THIRD TIME, AND RETURNED FIVE MINUTES LATER AND STATED, "THEY WILL NOT COME OUT AND THEY WANT YOU TO LEAVE". I ASKED HER WHAT HER NAME WAS AND SHE GAVE IT TO ME. I TOLD HER THAT IT WAS IMPERATIVE THAT THE CORPORATION RESPOND TO THE SUMMONS AND SHE SAID "WHATEVER". I THEN HANDED THE DOCUMENTS TO HER AND LEFT. AS A PROFESSIONAL PROCESS SERVER FOR 18 YEARS, I BELIEVE, THROUGH DUE DILIGENCE, I EFFECTUATED SERVICE AS PROPERLY AS POSSIBLE IN THIS SITUATION.

I declare under penalties of perjury that the information contained herein is correct to the best of my knowledge.



John Bauer
Major Legal Professional Process Servers
7455 France Avenue South - Suite 272
Minneapolis, MN 55435
(612) 282-3164

Subscribed and sworn to before me, a notary public, on this 14th day of November, 2007.


My Commission Expires: 01-31-10

Notary Public
Ruth Bauer
ID: 07-005201

Client Reference:

Major Legal Professional Process Servers • 7455 France Avenue South - Suite 272, Minneapolis, MN 55435 • (612) 282-3164

